# **EXHIBIT**

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# NOTICE OF DEFAULT



ZIP 92101 \$ 004.550

Quality Loan Service Corp. of Washington 2141 5th Avenue San Diego, CA 92101



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WA-11-488030-SH TIMOTHY J DIETZ 2503 34TH AVENUE LONGVIEW, WA 98632





# Important Notice Regarding Washington Payoff and Reinstatement Requests

For your convenience, we are providing you with some information on how to get your Payoff/Reinstatement Request processed promptly and efficiently. Below are the three ways in which you may place a request.

- 1. You will receive a prompt response, if you place your request via email to: <u>WAQuotes@qualityloan.com</u>
- 2. You may place a request via Fax: (206) 780-6862
- 3. You can send a request to our office at:

Quality Loan Service Corp. of Washington 19735 10<sup>th</sup> Avenue NE, Suite N-200 Poulsbo, WA 98370 Phone Number (866) 645-7711 Ext. 5318

Your request must include the trustee sale number, loan number and the subject property address so that we may expedite your request. Please specify whether you are requesting payoff or reinstatement figures and the date you would like the figures good through not exceeding 30 days. If you are a representative for the current homeowner, we must also receive written authorization before releasing any information.

If you do not receive your figures within 5 days, please call back to speak to a representative. If your property is scheduled for a foreclosure sale within the next 14 days, you must contact the trustee sales officer handling your file by calling our Foreclosure Department directly. Please be aware that making a request for figures does not stop or postpone the sale of the property in question. The sale will continue until funds are received and accepted or other arrangements have been made.

THIS NOTICE IS SENT FOR THE PURPOSE OF COLLECTING A DEBT. THIS COMPANY IS ATTEMPTING TO COLLECT A DEBT ON BEHALF OF THE HOLDER AND OWNER OF THE NOTE. ANY INFORMATION OBTAINED BY OR PROVIDED TO THIS COMPANY OR THE CREDITOR WILL BE USED FOR THAT PURPOSE.

## NOTICE OF DEFAULT

Pursuant to the Revised Code of Washington 61.24, et seq.

To: TIMOTHY J. DIETZ, A MARRIED MAN

T.S. No.: WA-11-488030-SH

MERS MIN No.: 1003072-0000042841-1 MERS Telephone No. 1-888-679-6377

## THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

You may be eligible for mediation in front of a neutral third party to help save your home.

CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. Mediation MUST be requested between the time you receive the Notice of Default and no later than twenty days after the Notice of Trustee Sale is recorded.

**DO NOT DELAY.** If you do nothing, a notice of sale may be issued as soon as 30 days from the date of this notice of default. The notice of sale will provide a minimum of 120 days' notice of the date of the actual foreclosure sale.

**BE CAREFUL** of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress. **REFER TO THE CONTACTS BELOW** for sources of assistance.

#### SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission: Toll-free: 1-877-894-HOME (1-877-894-4663) or Web site: <a href="http://www.dfi.wa.gov/consumers/homeownership/post\_purchase\_counselors\_foreclosure.htm">http://www.dfi.wa.gov/consumers/homeownership/post\_purchase\_counselors\_foreclosure.htm</a>.

The United States Department of Housing and Urban Development: Toll-free: 1-800-569-4287 or National Web Site: <a href="http://portal.hud.gov/hudportal/HUD">http://portal.hud.gov/hudportal/HUD</a> or for Local counseling agencies in Washington:

http://www.hud.gov/offices/hsg/sfh/hcc/fc/index.cfm?webListAction=search&searchstate=WA&filterSvc=dfc.

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys: Telephone: **1-800-606-4819** or Web site: <a href="http://nwjustice.org/what-clear">http://nwjustice.org/what-clear</a>.

The current owner of the Note secured by the Deed of Trust is: Wells Fargo Bank, NA c/o WELLS FARGO BANK, 1 Home Campus X2504-017, Des Moines, IA 50328 800-662-3806

Quality Loan Service Corporation of Washington c/o Quality Loan Service Corp. 2141 5th Avenue San Diego, CA 92101 (866) 645-7711

Date: 7/26/2012

T.S. Number: WA-11-488030-SH

## DEBT VALIDATION NOTICE

1. This Debt Validation Notice pertains to the debt/loan secured by the Deed of Trust dated 9/25/2008, executed by TIMOTHY J. DIETZ, A MARRIED MAN, as Trustor, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR HYPERION CAPITAL GROUP, LLC, A LIMITED LIABILITY COMPANY, as beneficiary, which was recorded on 10/3/2008, as Instrument No. 3378077 in Official Records in the Office of the Recorder of COWLITZ County, State of WA.

The debt/loan is currently owed to: Wells Fargo Bank, NA

- 2. If you send us a request in writing at the above listed address within thirty (30) days from the date of your receipt of this notice we will provide you with the name and address of the original creditor/lender.
- 3. As of 7/26/2012 the total amount owed on this debt/loan is \$219,912.46. Please be advised that because of accruing interest, late charges, and other charges that may vary from day to day this amount will increase until the debt/loan has been fully paid. Therefore, please do not send us this sum without confirming with us what is currently owed. In order to determine what is owed to pay this debt/loan off in full please contact us at the address or phone number listed above.
- 4. You need not pay the entire amount listed in Paragraph 3 above to stop the pending foreclosure. As of 7/26/2012 the amount that would need to be paid to bring your loan current and to thereby stop the pending foreclosure is \$22,247.57. Please be advised that because of accruing interest, late charges, and other charges that may vary from day to day this amount will increase until the delinquency has been fully paid. Therefore, please do not send us this sum without confirming with us what is currently owed. In order to determine what is owed please contact us at the address or phone number listed above.
- 5. If you dispute this debt, or any portion of it, you must advise us in writing, at the address listed above, within thirty (30) days from date of your receipt of this notice. In that event, we will obtain and mail to you written verification of the debt. If no dispute to the debt, or any portion of it is not timely submitted we will assume that the debt is valid.

WE ARE ATTEMPTING TO COLLECT A DEBT, AND ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE.

The Loan Servicer WELLS FARGO BANK is managing your loan. For information about your loan you should contact:

WELLS FARGO BANK 1 Home Campus X2504-017 Customer Service Des Moines, IA 50328

800-662-3806

## 1. DEFAULT:

You are hereby notified that the Beneficiary has declared you in default on the obligation secured by a Deed of Trust recorded on 10/3/2008 in Auditor's File No. 3378077, Records of COWLITZ County, Washington, which Deed of Trust encumbers the following described real property:

LOT 1, AS DELINEATED ON THE SHORT PLAT SUBDIVISION OF A PORTION OF LOT 20, BLOCK 14, LONGVIEW HOMESTEADS, AS RECORDED IN VOLUME 3 OF SHORT PLATS, PAGE 036, UNDER AUDITOR'S FILE NO. 851977, RECORDS OF COWLITZ COUNTY, WASHINGTON. SITUATE IN THE COUNTY OF COWLITZ, STATE OF WASHINGTON

Tax Parcel No. 05311

Commonly known as: 2503 34TH AVENUE, LONGVIEW, WA 98632

## 2. STATEMENT OF DEFAULT AND ITEMIZED ACCOUNT OF AMOUNT IN ARREARS:

The present beneficiary under said Deed of Trust alleges that you or your successors in interest are in default for the following reasons:

Failure to make the 12/1/2010 payment of principal and/or interest and all subsequent payments, together with late charges, impounds, advances, taxes, delinquent payments on senior liens, or assessments, if any. To wit:

Paymer	nts:
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From 12/1/2010 Through

No. of Payments

21

Monthly Payment

\$1,012.67

Total Payments

\$21,266.07

Late Charges:

From 12/1/2010

Through 7/26/2012

7/26/2012

No. Late Charges

Total Late Charges

\$1,063.30

Beneficiary's Advances, Costs, And Expenses:

Total Advances:

\$0.00

Promissory Note Information:

Note Dated:

Note Amount:

9/25/2008 \$192,375.00

Late Charge Amount:

\$192,375.00 \$50.63

 Note Maturity Date:
 10/1/2038

 Interest Paid To:
 11/1/2010

 Next Due Date:
 12/1/2010

## OTHER CHARGES, COSTS AND FEES:

In addition to the amounts in arrears specified above, you are or may be obligated to pay the following charges, costs and fees to cure the default under the Deed of Trust if cure is made before recording the Notice of Trustee's Sale:

No.	Description	Δ
a.	Cost of title report for foreclosure:	Amount
b.	Service or posting Notice of Default:	\$764.00 \$50.00
C.	Postage:	
d.	Attorney Fee:	\$14.64
e.	Trustee's Fee:	\$0.00
f	Inspection Fee:	\$202.50
		\$0.00
g.	Recording Fees:	\$15.00
	TOTAL CHARGES, COSTS AND FEES:	\$1,066.50

## 4. REINSTATEMENT: IMPORTANT! PLEASE READ!

UNTIL SUCH TIME AS A NOTICE OF TRUSTEE'S SALE IS RECORDED, THE ESTIMATED TOTAL AMOUNT NECESSARY TO REINSTATE YOUR NOTE AND DEED OF TRUST IS THE SUM OF PARAGRAPHS 2 AND 3 IN THE AMOUNT OF \$23,395.87, PLUS ANY MONTHLY PAYMENTS, LATE CHARGES, OR BENEFICIARY COSTS WHICH HAVE BECOME DUE SINCE THE DATE OF THIS NOTICE OF DEFAULT. Any new defaults not involving payment of money that occur after the date of this notice must also be cured in order to effect reinstatement. In addition, because some of the charges can only be estimated at this time, and because the amount necessary to reinstate may include presently unknown expenditures required to preserve the property or to comply with state or local law, it will be necessary for you to contact the trustee before the time you tender reinstatement so that you may be advised of the exact amount you will be required to pay.

Payment must be made in the full amount by certified funds, and delivered or mailed as specified by the Beneficiary. Personal checks will not be accepted.

Reinstatement monies may be tendered to: WELLS FARGO BANK

Reinstatement monies may be mailed to: Quality Loan Service Corp. of Washington C/O Quality Loan Service Corporation 2141 5<sup>th</sup> Avenue, San Diego, CA 92101

Reinstatement monies may be dropped off at: Quality Loan Service Corp. of Washington 19735 10<sup>th</sup> Avenue NE, Suite N-200 Poulsbo, WA 98370

For questions call toll-free: (866) 645-7711

If your default included a default other than failure to pay payments when due, then in order to reinstate the Note and Deed of Trust before the Notice of Trustee's Sale is recorded, you must cure such other default(s).

## 5. CONSEQUENCES OF DEFAULT:

- a. Failure to cure said alleged default within thirty days of the date of mailing of this notice, or if personally served, within thirty days of the date of personal service hereof, may lead to recordation, transmittal and publication of a Notice of Sale, and that the property described herein may be sold at public auction at a date not less than one hundred fifty days from the date of service of this notice.
- b. The effect of the recordation, transmittal and publication of a notice of sale will be to (i) increase the costs and fees and (ii) publicize the default and advertise the grantor's property for sale.
- C. Notwithstanding a future recordation of a Notice of Trustee's Sale, you may reinstate the deed of trust, and cure the default described above on or before the eleventh (11th) day before the Trustee's Sale of the property at public auction.
- d. The effect of the sale of the grantor's property by the trustee will be to deprive the grantor or his successor in interest and all those who hold by, through or under him of all their interest in the property described herein.

#### ACCELERATION:

You are hereby notified that the beneficiary has elected to accelerate the loan described herein, and has declared the entire principal balance of \$202,550.14, plus accrued costs, immediately due and payable. NOTWITHSTANDING SAID ACCELERATION, YOU HAVE THE RIGHT TO REINSTATE THE LOAN BY PAYING THE DELINQUENT PAYMENTS, LATE CHARGES, COSTS AND FEES ON OR BEFORE THE ELEVENTH (11TH) DAY BEFORE THE DATE OF THE TRUSTEE'S SALE WHICH MAY BE SET BY A NOTICE OF TRUSTEE'S SALE, ALL AS EXPLAINED IN PARAGRAPHS 4 AND 5 ABOVE.

## RECOURSE TO COURTS:

The grantor or any successor in interest has recourse to the courts pursuant to RCW 61.24.130 to contest the alleged default on any proper ground;

## DOCUMENTS ATTACHED:

 Beneficiary or Authorized Agent's Foreclosure Loss Mitigation Form declaring compliance with RCW 61.24,031.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office within 30 days from receiving this notice, this office will obtain verification of the debt and mail you a copy of the verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Date: 7/26/2012

Quality Loan Service Corp. Of Washington, Trustee

Gladys Limon, Assistant Secretary

## BENEFICIARY DECLARATION PURSUANT TO CHAPTER 61.24 RCW AND FORECLOSURE LOSS MITIGATION FORM

Borrower(s): TIMOTHY J DIETZ

Beneficiary: Wells Fargo Bank, NA

Loan Servicer: Wells Fargo Bank, NA

Property: 2503 34TH AVENUE LONGVIEW WA 98632

004-WA-V2

Please Select Applicable Option(s) Below.

The undersigned beneficiary or authorized agent for the beneficiary hereby represents and declares under the penalty of perjury that [check the applicable box and fill in any blanks so that the trustee can insert, on the beneficiary's behalf, the applicable declaration in the notice of default required under chapter 61.24 RCW]:

	V	(1) The beneficiary or beneficiary's authorized agent has contacted the borrower under, and has complied with, RCW 61.24.031 (contact provision to "assess the borrower's financial ability to pay the debt secured by the deed of trust and explore options for the borrower to avoid foreclosure") and the borrower did not request a meeting.
		(2) The beneficiary or beneficiary's authorized agent has contacted the borrower as required under RCW 61.24.031 and the borrower or the borrower's designated representative requested a meeting. A meeting was held in compliance with RCW 61.24.031.
		(3) The beneficiary or beneficiary's authorized agent has exercised due diligence to contact the borrower as required in RCW 61.24.031(5).
	-	(4) The borrower has surrendered the secured property as evidenced by either a letter confirming the surrender or by delivery of the keys to the secured property to the beneficiary, the beneficiary's authorized agent or to the trustee.
becaus	[IN	ISERT IF APPLICABLE: Subsections (1) and (5) of RCW 61.24.031 do NOT apply egarding the above-referenced loan:
		The property is not owner occupied residential real property; or

house

Ш	The deed of trust secures a commercial loan; or
and the second	The deed of trust secures obligations of a grantor who is not the borrower or a guarantor; or
	The deed of trust secures a purchaser's obligations under a seller-financed sale.]
	Deitric Lemphile (Beneficiary's/Authorized Agent's signature)
	Deitrice Hemphill Print Name
	6/19/12 Dated